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Attorneys for Defendant
Intel Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE HIGH-TECH EMPLOYEE ANTITRUST
LITIGATION

THIS DOCUMENT RELATES TO:
ALL ACTIONS

Master Docket No. 11-CV-2509-LHK

**DECLARATION OF FRANK M.
HINMAN REGARDING INTEL'S
PRODUCTION OF DATA AND
DOCUMENTS**

1 I, Frank M. Hinman, declare as follows:

2 1. I am a member of the Bar of the State of California and a partner in the law firm
3 of Bingham McCutchen LLP, attorneys for Defendant Intel Corporation (“Intel”). Pursuant to
4 the Court’s June 4, 2012 Case Management Order, I submit this declaration regarding Intel’s
5 production of data and documents to date. I have personal knowledge of the facts set forth in
6 this declaration and, if called to testify as a witness, could and would do so competently.

7 Intel’s Data Production

8 2. Intel completed its data production prior to June 15. Most of it was completed in
9 April.

10 3. On June 6, Intel met and conferred with Plaintiffs regarding their request for
11 overtime compensation data, which is referenced in the June 4 Order. I am informed that
12 Plaintiffs indicated they were reconsidering their request and would inform Intel if they still
13 wanted the data. They have not done so.

14 Intel’s Document Production

15 4. Intel substantially completed its document production on June 15. In addition to
16 its November 2011 production of documents previously produced to the Department of Justice,
17 Intel reviewed and produced documents pursuant to two “tracks” agreed upon by the parties.
18 The production pursuant to the first track (“Track One”) was based on custodian interviews,
19 among other efforts, to identify responsive, high-level documents without the need to run search
20 terms against electronically stored information (ESI). The production pursuant to the second
21 track (“Track Two”) was based on ESI collections from custodians and the application of search
22 terms.

23 5. Intel has produced approximately 27,810 documents, consisting of approximately
24 282,832 pages:

- 25 • On November 30, 2011, Intel produced approximately 2,070 documents. This
26 production included all documents it had produced to the United States
27 Department of Justice in connection with *United States v. Adobe Systems, Inc.*, its
28 responses to the interrogatories in DOJ’s Civil Investigative Demand, and its
correspondence with DOJ.

1 • On April 16, 2012, Intel produced approximately 124 Track One documents.

2 • On May 9, Intel produced approximately 12,712 Track One and Track Two
3 documents.

4 • On May 25, Intel produced approximately 2,703 Track Two documents.

5 • On June 15, Intel produced approximately 10,201 Track Two documents.

6 6. Intel is currently completing its review of potentially privileged documents. In
7 accordance with the parties' agreement, Intel will provide Plaintiffs with a privilege log on
8 July 15. In addition, Intel will produce, on a rolling basis, any potentially privileged documents
9 ultimately determined not to be privileged, either entirely or in part, with productions planned for
10 June 25, July 6, and July 16.

11 7. In the past two weeks, Intel identified approximately 400 documents that are
12 responsive to Plaintiffs' requests and contain, or are related to documents that contain,
13 confidential third-party information. We are notifying the third parties that Intel plans to
14 produce these documents under the Protective Order in this case. Subject to the resolution of any
15 objections by the third parties, Intel will produce these documents on June 25.

16 8. At Google's request, Intel has temporarily withheld from production
17 approximately 65 documents received or sent by Paul Otellini pursuant to his service on
18 Google's Board of Directors. Google has requested additional time to review the documents to
19 ensure that all personal information has been redacted and to make any other proper redactions
20 (e.g., redaction of privileged communications). Intel will produce these documents (with
21 appropriate redactions) as soon as Google has completed its review, which Google has
22 represented to Intel will be done promptly.

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1 I declare under penalty of perjury under the laws of the United States that the foregoing is
2 true and correct. Executed this 18th day of June 2012 in Palo Alto, California.

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5 By: s/Frank M. Hinman

6 Frank M. Hinman
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